

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/714,163	KAUVAR, LAWRENCE M.	
	Examiner	Art Unit	
	David J. Venci	1641	

All Participants:
Status of Application: pending

 (1) David J. Venci (USPTO).

(3) _____.

 (2) Kate Murashige (Morrison & Foerster).

(4) _____.

Date of Interview: 10 July 2008
Time: 17:10
Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

none

Claims discussed:

20

Prior art documents discussed:

none

Part II.
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

I informed Applicant's representative that claim 20 has been principally indicated allowable subject to correction of informalities. I informed Applicant's representative that the informalities include: 1) lack of antecedent support in the specification for "principal components"; and 2) 112.1 - new matter issues. I informed Applicant's representative that an amendment incorporating the necessary changes and/or traversing argumentation may be submitted in the form of a written amendment. I informed Applicant's representative that I was not informed of the exact changes necessary for claim allowance, or the exact requirements for any proposed written amendment.

Dr. Murashige informed Examiner of her intention to contact Examiner's supervisor to request more detailed information for placing the claims in condition for allowance.

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Applicant/Applicant's Representative Signature – if appropriate)

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	Examiner	Art Unit	
	David J. Venci	1641	

All participants (applicant, applicant's representative, PTO personnel):

(1) David J. Venci (USPTO). (3) _____.

(2) Kate Murashige (Morrison & Foerster). (4) _____.

Date of Interview: 15 July 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: none.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _____.

In response to a transferred telephone call from Supervisory Examiner Le, Applicant's representative requested an in-person interview with Examiner and Supervisory Examiner Le on Wednesday July 16, 2008, at 13:15. I expressed my intention to arrange this meeting with Supervisory Examiner Le at the requested time.

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Interview Summary

Application No.

10/714,163

Applicant(s)

KAUVAR, LAWRENCE M.

Examiner

David J. Venci

Art Unit

1641

1 of 2

All participants (applicant, applicant's representative, PTO personnel):

(1) David J. Venci, Long Le (USPTO).

(3) _____

(2) Kate Murashige (Morrison & Foerster).

(4) _____

Date of Interview: 16 July 2008.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: 20

Identification of prior art discussed: NONE

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

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Notice of Appeal (Sept. 30, 2005), Status Inquiry (January 8, 2007), Status Inquiry (April 3, 2008)

STATUS OF APPEAL IS "REPEALED". EXAMINER'S AMENDMENT WILL RESOLVE ALL ISSUES ON APPEAL.

~~THE "5 PRINCIPAL COMPONENTS" REFERS TO SEVERAL DETERMINANTS OF THE FINAL SET OF TOXIC COMPOUNDS THE TRANSLOCATION PROTEINS, NOT THEIR LOCALIZATION PATTERN(S). THE "PARAGRAPH 5 PRINCIPAL COMPONENTS" REFERENCE, AN ART-RECOGNIZED THRESHOLD FOR STATISTICAL SIGNIFICANCE.~~

A FRESH BATCH OF CELLS IS NEEDED FOR EACH NEW ITERATION

THE "5 PRINCIPLE COMPONENTS" REFERS TO THE INTRACELLULAR LOCALIZATION PATTERN (EG, TRANSLOCATION PATTERN, SIGNAL INTENSITY)

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

David J. Venci

Interview Summary

Application No.

10/714,163

Applicant(s)

KAUVAR, LAWRENCE M.

Examiner

David J. Venci

Art Unit

1641

2 of 2

All participants (applicant, applicant's representative, PTO personnel):

(1) David J. Venci, Long Le (USPTO).

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(2) Kate Murashige (Morrison & Foerster).

(4) _____

OF THE SIGNAL TRANSDUCTION PROTEINS THEMSELVES. THE "5 PRINCIPAL COMPONENTS DOES NOT REFER TO ANY PHYSICAL/CHEMICAL/STRUCTURAL DETERMINANTS OF THE TOXIC COMPOUNDS. THE TOXICITY OF THE TOXIC COMPOUNDS IS GENERALLY KNOWN, A PRIORI, AND THEIR TOXICITY DATA MAY BE USED TO ACCOMPLISH THE METHOD GOAL OF IDENTIFYING "5 PRINCIPAL COMPONENTS" OF THE SIGNAL TRANSDUCTION PROTEINS.

EXAMINER ^{DV} INTENDS TO SUBMIT ^{DV} AN EXAMINER'S ~~A SUPPLEMENTAL~~ AMENDMENT REFLECTING CHANGES TO CLAIM LANGUAGE DISCUSSED DURING THIS INTERVIEW AND ALSO REFLECTED IN THE ATTACHED MARKED-UP COPY OF THE CLAIMS (SEE ATTACHED).

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11. (previously presented): The method of claim 7 wherein each of said intracellular localization patterns is observed using a wide-field microscope.

12. (previously presented): The method of claim 7 wherein each of said intracellular localization patterns is observed by labeling the proteins with specific antibodies.

13. (original): A computer-readable database prepared by the method of claim 7.

14-19. (canceled)

20. (currently amended): A method to identify a set of signal transduction proteins whose intracellular localization pattern changes ~~significantly~~ in response to toxic compounds, which method comprises

~~arbitrarily~~ identifying a first set of signal transduction proteins;

providing a set of toxic compounds;

contacting ~~each member of said first set of~~ ^{each} signal transduction proteins with each one of the toxic compounds; *of the first set*

determining the changes in intracellular localization pattern of each of the signal transduction proteins of said first set in response to each of the toxic compounds;

discarding those signal transduction proteins from said first set whose changes in intracellular localization pattern are redundant;

adding new signal transduction proteins to provide a second set of signal transduction proteins;

contacting ~~each member of said second set of~~ ^{each} signal transduction proteins with each of the toxic compounds; *of the second set*

determining the changes in the intracellular localization pattern of each of the signal transduction proteins of said second set in response to each of the toxic compounds;

discarding those signal transduction proteins from said second set whose changes in intracellular localization patterns are redundant;

adding new signal transduction proteins to provide a third set of signal transduction proteins; and] *enter*

repeating the steps for which the second set of signal transduction proteins was used until a final set of proteins is ^{*identified*} ~~obtained~~ which provides at least five principal components with respect to the range of compounds marketed as small organic molecules.

21. (previously presented): The method of claim 7, which further includes the step of recording the intracellular localization pattern of said signal transduction protein in said cell type in the presence of each compound of said set of toxic compounds as a function of time.

22. (previously presented): The method of claim 7, which further includes the step of recording the intracellular localization pattern of said signal transduction protein in said cell type, then contacting each compound of said set of toxic compounds with a second cell type, and recording the intracellular localization pattern of said first signal transduction protein in said second cell type in the presence of each compound of said set of toxic compounds.

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